

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ALLSTATE INSURANCE COMPANY,  
ALLSTATE INDEMNITY COMPANY,  
ALLSTATE PROPERTY & CASUALTY INSURANCE COMPANY,  
AND ALLSTATE FIRE AND CASUALTY INSURANCE COMPANY,

Plaintiffs,

vs.

Civil Action No.: 7:23-cv-07515

GABRIEL DASSA, D.O.,  
SUKDEB DATTA, M.D.,  
DARRIN KALOZ, D.C.,  
YELENA SHUBINA, M.D. (a.k.a. "YELENA BOGORAZ"),  
DANIEL SCHLUSSELBERG, M.D.,  
DASSA ORTHOPEDIC MEDICAL SERVICES, P.C. d/b/a  
C\V ORTHOPEDIC,  
GARDEN STATE NEURO STIMULATION, LLC,  
DATTA ENDOSCOPIC BACK SURGERY & PAIN CENTER, LLC,  
ADJUST FOR LIFE CHIROPRACTIC, P.C.,  
NEWBURGH PRIMARY CARE, P.C. d/b/a ELITE ORTHOPEDICS,  
LEADING EDGE MEDICAL DIAGNOSTIC, P.C.,  
ARTHUR KOSTANIAN,  
SERGEY DENEVICH,  
GENNADI KHODAK (a.k.a. "GENE KHODAK"),  
SKAZKA, LLC, and  
NIMBLE BUSINESS SOLUTIONS, INC.,

Defendants.

**PROPOSED ORDER GRANTING THE JOINT STIPULATION BETWEEN ALLSTATE  
AND THE DEFENDANTS, LEADING EDGE MEDICAL DIAGNOSTIC, P.C. AND  
DANIEL SCHLUSSELBERG, M.D. TO STAY CURRENT AND FUTURE  
ARBITRATION PROCEEDINGS AND STATE COURT LITIGATION**

Upon consideration of the Plaintiffs, Allstate Insurance Company, Allstate Indemnity Company, Allstate Property and Casualty Insurance Company, and Allstate Fire and Casualty Insurance Company (collectively, "Allstate" and/or "Plaintiffs") and the Defendants, Daniel Schlusselberg, M.D. and Leading Edge Medical Diagnostic, P.C. (collectively, "Defendants")

Joint Stipulation to Stay Current and Future Arbitration Proceedings and State Court Litigation,  
IT IS HEREBY:

**ORDERED** that all of the Leading Edge Medical Diagnostic, P.C. state court  
~~litigation currently pending against Allstate is stayed throughout the pendency of the~~  
~~above-captioned litigation;~~ 

**ORDERED** that Leading Edge Medical Diagnostic, P.C. is to refrain from filing any  
future arbitrations and state court litigation against Allstate throughout the pendency of the  
above-captioned litigation.

**ORDERED** that Daniel Schlusselberg, M.D. and/or Leading Edge Medical Diagnostic,  
P.C. shall seek leave of the Court should they at any time in the future seek to withdraw from this  
stipulation.

**ORDERED** that Allstate shall reserve the right to file a Motion for Preliminary  
Injunction, seeking a stay of: (1) all pending No-Fault litigation, and (2) all future No-Fault  
arbitrations and state court litigation in the event that Daniel Schlusselberg, M.D. and/or  
Leading Edge Medical Diagnostic, P.C. is granted a withdrawal from this stipulation.

**SO ORDERED.**

Dated: White Plains, New York  
August 31, 2023

  
Philip M. Halpern  
United States District Judge